

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION
3 IN THE MATTER OF:)
)
4 TONY GLENN)
 -vs-) No. 02-0576
5 PEOPLES GAS, LIGHT AND)
 COKE COMPANY)
6)
 Complaint as to)
7 billing/charges in)
 Chicago, Illinois)
8
 Chicago, Illinois
9
 March 28, 2003
10
 Met, pursuant to adjournment at 10 o'clock a.m.
11
BEFORE:
12
 MR. JOHN RILEY,
13 Administrative Law Judge
14 APPEARANCES:
15 MR. TONY GLENN
 11127 South Homewood
16 Chicago, Illinois, 60643
 appearing pro se;
17
 MR. PETER BRIGIDA
18 130 East Randolph Drive
 Chicago, Illinois 60601
19 appearing for Peoples Gas, Light and
 Coke Company.
20
 SULLIVAN REPORTING COMPANY, by
21 Patricia Wesley, CSR
 License No. 084-002170
22

1 JUDGE RILEY: Let me introduce the record and
2 we'll begin the status. Pursuant to the direction
3 of the Illinois Commerce Commission, I now call
4 02-0576. This is a complaint by Tony Glenn vs. The
5 Peoples Gas, Light and Coke Company as to billing
6 charges -- excuse me -- billing and charges in
7 Chicago, Illinois.

8 Mr. Brigida, would you enter an
9 appearance for the record, please.

10 MR. BRIGIDA: Peter Brigida on behalf of the
11 Peoples Gas, Light and Coke Company, 130 East
12 Randolph Drive, Chicago, Illinois, 60601.

13 JUDGE RILEY: And, Mr. Glenn, you are proceeding
14 without counsel still at this point?

15 MR. GLENN: Correct.

16 JUDGE RILEY: And would you enter an appearance
17 for the record, please.

18 MR. GLENN: Yes. My name is Tony Glenn. I
19 reside at 11127 South Homewood, Chicago, Illinois,
20 60643.

21 JUDGE RILEY: Thank you.

22 And the specific purpose of this status

1 session was to obtain a response from Peoples Gas
2 with regard to Mr. Glenn's request for data and
3 information.

4 And, Mr. Brigida, have you had a chance
5 to look over the request by Mr. Glenn?

6 MR. BRIGIDA: I have, Judge. One thing I would
7 like to point out was that at the last status
8 Mr. Glenn had indicated that he wanted to change
9 some of the dates here and he would provide me with
10 a new request with correct dates, and I haven't
11 received that yet.

12 MR. GLENN: Okay. I'll get that to you today.
13 I'm sorry about that. Okay. I will get that to you
14 today.

15 MR. BRIGIDA: Okay.

16 MR. GLENN: Okay.

17 MR. BRIGIDA: Judge, you know, I don't know what
18 your intent is. What I was withholding was my
19 objection to the late filing of these discovery
20 requests and that I'm willing to provide answers to.
21 There's specific objections I have that I can simply
22 go through here or provide in my answers to these

1 discovery requests.

2 JUDGE RILEY: So there are some answers you are
3 going to provide and there were some objections?

4 MR. BRIGIDA: In terms of overly broad, vague, et
5 cetera. So, again, I'm willing to provide some
6 information here just to expedite this matter, but I
7 guess what I'm saying is I'm waiving my objection to
8 the timeliness of the discovery requests, but I'm
9 not waiving my objections to normal objections that
10 I would have with respect to any sort of discovery
11 request that came in.

12 JUDGE RILEY: Okay. So the substance of the
13 request you still are maintaining that you object,
14 too?

15 MR. BRIGIDA: Yes, absolutely.

16 JUDGE RILEY: Which ones? Could you give me
17 specifics as to which ones, which specific requests
18 you are objecting to?

19 MR. BRIGIDA: As an example, if you look at
20 No. 2 -- I'm sorry -- No. 3, "Provide all documents,
21 including, but no limited to records and service
22 usage for residents during the time period," I've

1 been requesting all documents. This is overly
2 broad. If he's asking for specific types of
3 documents, I can get that to him.

4 JUDGE RILEY: Which request was that?

5 MR. BRIGIDA: Both requests for documents No. 1
6 and 2.

7 JUDGE RILEY: Okay. Provide all documents.

8 MR. BRIGIDA: Yes, I think that's overly broad.

9 MR. GLENN: You think it's overly broad? What
10 I'm asking for is any related bills that you billed
11 to Tony Glenn.

12 MR. BRIGIDA: If you state it that way, I'm
13 willing to provide you with bills, but you are
14 saying all documents. We may have documents showing
15 that, you know, there was a van that drove down your
16 street. We may have documents showing that there
17 was a leak call at one of these residences.

18 Asking for all documents is going to --
19 is just too broad and wouldn't provide you with
20 documents that I don't see are relevant in this
21 case.

22 MR. GLENN: What about documents that might

1 have -- someone might have proved been living there?
2 He might have service or something -- I don't
3 know -- I guess is what I was trying to get at.
4 JUDGE RILEY: In other words, what you are trying
5 to get at whatever documents link you to that
6 apartment --
7 MR. GLENN: Correct.
8 JUDGE RILEY: -- to that address?
9 MR. GLENN: Correct.
10 JUDGE RILEY: That would be a billing
11 statement --
12 MR. GLENN: Right.
13 JUDGE RILEY: -- or anything that may contain
14 your signature?
15 MR. GLENN: Yes, or anything that would contain
16 my signature.
17 MR. BRIGIDA: Again, you know, if that's -- if
18 you want to revise that request to the specific
19 types of documents you want, that's fine, but simply
20 stating all documents --
21 JUDGE RILEY: Okay. What it amounts to is that
22 counsel's objection is you are going to have to

1 tailor your request much more narrowly to specific
2 items that would -- that would link you to whatever
3 they have that would link you to these addresses --

4 MR. GLENN: Okay.

5 JUDGE RILEY: -- and rather than say all
6 documents, they want specific items.

7 Mr. Glenn, one of the things you have
8 in here a couple of times you have lease agreements.

9 MR. GLENN: Yes.

10 JUDGE RILEY: What lease agreements would you
11 possibly be -- what leases would you and Peoples Gas
12 have?

13 MR. GLENN: In the past, from what Peoples Gas
14 told me, is that they don't do it now, but back
15 about around the time ten years ago, or eight to ten
16 years ago, or even longer, you had -- in order for
17 you to get service, you had to come to Peoples Gas
18 with a lease on that apartment that you are going to
19 lease. That was the only way you would get service.

20 JUDGE RILEY: Oh, I see what you mean.

21 MR. GLENN: Nowadays you don't have to have a
22 lease. You can call up and they'll take information

1 on the phone and give you service.

2 JUDGE RILEY: Would you have to produce the lease
3 between yourself and your landlord in order to get
4 service from Peoples Gas?

5 MR. GLENN: At that time, Peoples Gas tells me,
6 if anybody had service at that time, the requirement
7 was in order for you to get service on an apartment,
8 you had to come in with a lease, they made a copy of
9 it, and that would be put in your file.

10 So I'm asking Mr. Brigida if that were
11 so the case and this was the time span, wouldn't
12 Peoples Gas have access to that information in terms
13 of who had requested service so if they do have a
14 lease on file, apparently it was not mine, and the
15 signature and whatever, that's what I was asking
16 for, and so by Peoples Gas -- this is what, ten
17 years ago or eight to ten years, that is what they
18 required. They don't do it now.

19 JUDGE RILEY: My question is it would be the
20 lease agreement between you and the landlord that
21 you would produce for Peoples Gas?

22 MR. GLENN: Correct. Right.

1 JUDGE RILEY: Let's get specific about this.
2 Mr. Brigida, are you asking him to send you a
3 written tailored -- a written request for documents?
4 MR. BRIGIDA: I do want him to provide any
5 changes to these questions in a written format.
6 MR. GLENN: Okay.
7 MR. BRIGIDA: And --
8 MR. GLENN: Well, I mean, what else would I say,
9 Judge, the lease agreement or any bills that
10 subsequently came to that address with Tony Glenn's
11 name on it?
12 JUDGE RILEY: See, this is what you should
13 specify in your request. This is what he's asking
14 you to do. When you submit the amended written
15 request for documents, specify that you want the
16 billing statements with your name on it, the lease
17 agreement with your name on it, if any.
18 MR. GLENN: Got you.
19 JUDGE RILEY: That takes care of No. 1, 2. Your
20 objection is well taken that the request is overly
21 broad and it has to be tailored.
22 MR. GLENN: Okay. So then Question No. 1, which

1 is pretty much like Question No. 3, but provide all
2 documents, I have to make the changes in that as
3 well?

4 JUDGE RILEY: Question No. 1 are you talking
5 about? I'm sorry?

6 MR. GLENN: Request for documents.

7 JUDGE RILEY: Request for documents?

8 MR. GLENN: Provide all documents, including, but
9 not limited to, billing statements and records of
10 service uses for the residents at 4341 North Kenmore
11 during the period of November 1 through 1995.

12 What's wrong with that, Mr. Brigida?

13 JUDGE RILEY: That's precisely what he objected
14 to is the term "provide all documents."

15 MR. GLENN: Okay. So I'll put the same specific
16 in this question that I would ask for in Question
17 No. 3.

18 JUDGE RILEY: Question No. 3?

19 MR. GLENN: The one, yes, we just discussed.

20 MR. BRIGIDA: Regarding the lease agreement?

21 MR. GLENN: Yes.

22 MR. BRIGIDA: Yes. I guess I object to 3 as sort

1 of overly broad and vague also. I don't understand
2 what you mean by proof of service.

3 MR. GLENN: I mean --

4 MR. BRIGIDA: I mean proof of service to me
5 implies two different things. Are you saying that
6 we have to have some sort of proof showing that we
7 provided you copies of documents or proof of service
8 meaning proof that we actually provided gas service
9 to you?

10 MR. GLENN: Yes, proof that you did that.

11 MR. BRIGIDA: Again, you need to specify that,
12 because proof of service to me that term
13 is vague.

14 MR. GLENN: So proof that you provided the
15 service or subsequently whoever.

16 JUDGE RILEY: All right. Getting back to the
17 beginning, under the interrogatories, Interrogatory
18 No. 1, counsel, did you have an objection to that?

19 MR. BRIGIDA: I think it's somewhat vague, but I
20 think I can provide an answer to that.

21 JUDGE RILEY: And would that be your response
22 also to No. 2?

1 MR. BRIGIDA: Based on the same.

2 JUDGE RILEY: Again, Mr. Glenn, I want to point
3 out that -- we discussed this at the last time --
4 there are several places where we changed the dates.

5 MR. GLENN: Correct.

6 JUDGE RILEY: Do you -- are you certain that you
7 have the correct dates?

8 MR. GLENN: Well, in terms of the service period?

9 JUDGE RILEY: Right.

10 MR. GLENN: Well, these were the dates that most
11 recently when I contacted Peoples Gas, because I
12 wanted to get precisely the dates, this is the dates
13 they gave me. Now the dates were different from
14 what they sent me or when we -- when I originally
15 got this. They said the time period was short.
16 They went like -- from where it says here 1993, they
17 didn't go from 1990 to 1993. They went from like
18 whatever the last month of that year the bill
19 supposedly was used. That was the period they gave
20 me. I got this information from Peoples Gas myself.
21 This is not what originally was filed to me and in
22 terms of the time span.

1 JUDGE RILEY: All right. Interrogatory No. 1,
2 we originally had during the period January 1992
3 through July '93. We had changed that to January of
4 1990 through July of '93.

5 MR. GLENN: Correct.

6 JUDGE RILEY: Okay. Interrogatory No. 2, the
7 dates were okay.

8 MR. GLENN: Yes.

9 JUDGE RILEY: Document Request No. 1 to which
10 counsel has objected because it's overly broad and,
11 I agree with him, it contains the period --
12 originally contained the period November 1, '95
13 through September 30, '97. We have changed that to
14 January of '90 through July of '93.

15 MR. GLENN: Correct.

16 JUDGE RILEY: Okay. You understand that?

17 All right. Document Request No. 2,
18 counsel has the same objection as overly broad,
19 however, the dates are okay --

20 MR. GLENN: Okay.

21 JUDGE RILEY: -- for that particular residence.

22 Document No. 3, again, counsel, your

1 objection was the same. It's overly broad.

2 MR. BRIGIDA: And vague.

3 JUDGE RILEY: And vague.

4 All right. Before we get to that again,

5 Mr. Glenn, it concludes during the period January

6 1992 through July '93 we had changed that to January

7 '90 --

8 MR. GLENN: Correct.

9 JUDGE RILEY: -- through July '93.

10 MR. GLENN: Correct.

11 JUDGE RILEY: Can you tailor your Document

12 Request No. 3 --

13 MR. GLENN: Yes.

14 JUDGE RILEY: -- to much more specific

15 information?

16 MR. GLENN: Correct.

17 JUDGE RILEY: All right. Document Request No. 4

18 there was no change in the dates. Counsel, I

19 suppose I'm anticipating, but are you going to

20 register the same objection?

21 MR. BRIGIDA: Objection it's basically the same

22 question.

1 JUDGE RILEY: And, again, Mr. Glenn, could you
2 tailor that --

3 MR. GLENN: Yes.

4 JUDGE RILEY: -- to much more specific
5 information?

6 Document Request No. 5 request provide
7 all correspondence sent by Peoples to Tony Glenn or
8 other known and unknown individuals in reference to
9 the alleged outstanding balance owed for the
10 residence at 4341 North Kenmore during the period --
11 again, it began January '92 to July of '93. That's
12 January '90 through July '93. We changed that.

13 MR. GLENN: Can you provide me with that,
14 Mr. Brigida?

15 MR. BRIGIDA: That's not a problem. I mean, if
16 that -- that is very clear and specific.

17 MR. GLENN: So 6 will be the same thing then?

18 MR. BRIGIDA: Yes.

19 MR. GLENN: You don't have a problem with that as
20 well?

21 MR. BRIGIDA: No.

22 MR. GLENN: So the only ones I have to revise is

1 No. 3, No. 4, No. 1, and also revise the dates to
2 the original copy with the revised date from the
3 first initial data request that's requested,
4 correct?

5 MR. BRIGIDA: Yes.

6 JUDGE RILEY: Let's go back and make sure.

7 Mr. Brigida registered objections to
8 Document Request No. 1, 2, 3, and 4 as being vague
9 and overbroad. Five to 6 he did not register an
10 objection to.

11 Mr. Glenn, I want to make sure you
12 understand this, because you did not mention
13 Document Request No. 2 in your recap a minute ago.

14 JUDGE RILEY: He registered objections to 1, 2,
15 3, and 4 and he wants them much more specific.

16 MR. GLENN: One, 2, 3, and 4 --

17 JUDGE RILEY: Right.

18 MR. GLENN: -- and 5 and 6 is okay.

19 JUDGE RILEY:: Right.

20 MR. GLENN: What about No. 7?

21 MR. BRIGIDA: If we do have written policies, I
22 can get you copies of those. I mean, if something's

1 not in writing, it's just not in writing.

2 JUDGE RILEY: So, in other words, you'll comply
3 if it's possible to?

4 MR. BRIGIDA: Yes.

5 JUDGE RILEY: Now, Mr. Glenn --

6 MR. GLENN: Yes.

7 JUDGE RILEY: -- we met eight days ago and you
8 were going to submit Mr. Brigida -- submit to
9 Mr. Brigida a corrected copy of your discovery
10 request --

11 MR. GLENN: Correct.

12 JUDGE RILEY: -- and you hadn't got it to him.

13 MR. GLENN: No. It slipped my mind, but
14 I can get it to him today.

15 JUDGE RILEY: What I'm going to suggest now is
16 that would you be able to get the document request
17 with all of the changes that we have just talked
18 about to him today or do you need more time?

19 MR. GLENN: Well, I -- I couldn't do that portion
20 today, but I could have it by Monday.

21 JUDGE RILEY: That's fine.

22 MR. GLENN: Okay.

1 JUDGE RILEY: If you can have -- if you can have
2 the detailed request to Mr. Brigida by Monday with
3 the corrected dates --

4 MR. GLENN: Okay.

5 JUDGE RILEY: -- and the changes requested for
6 Document Request 1 through 4.

7 MR. GLENN: Okay.

8 JUDGE RILEY: Is that okay with you, Mr. Brigida?

9 MR. BRIGIDA: Yes.

10 MR. GLENN: I'll have it at the office by end of
11 business day on Monday. Is there a fax number for
12 you, Mr. Brigida?

13 MR. BRIGIDA: Yes. You can send it to
14 312-240-4486, but also you can go ahead and fax it
15 but also do a hard copy for me.

16 JUDGE RILEY: Okay. Was there anything else?

17 MR. GLENN: No, that's it.

18 JUDGE RILEY: All right, gentlemen. We still --
19 just to recap --

20 MR. GLENN: Oh, yes, because I had something I
21 wanted to say, too.

22 JUDGE RILEY: Hold on.

1 To recap that, we have also set a
2 hearing date --

3 MR. GLENN: May 22.

4 JUDGE RILEY: I have set a hearing date in this
5 matter for May 22nd at 10 a.m. That's still a firm
6 date?

7 MR. GLENN: Correct.

8 JUDGE RILEY: And was there -- Mr. Glenn, was
9 something further?

10 MR. GLENN: Yes. I wanted to -- since I have
11 both of you here, I called -- I went, in reference
12 to that police report -- okay --

13 JUDGE RILEY: Uh-huh.

14 MR. GLENN: I called, first of all, the police
15 department. The police department said originally
16 the report was at Chicago Avenue. They tore that
17 one down, so then they told me whatever information
18 you are trying to request would go to our main
19 central location, which was on 1100 South State
20 Street --

21 JUDGE RILEY: Right.

22 MR. GLENN: -- but has been torn down since then.

1 JUDGE RILEY: Right.

2 MR. GLENN: So I said to them, "How could I get
3 this information?" He said to me, "Do you have the
4 report number?" And I said, "Of course, I don't
5 have the report number." He said, "Because maybe it
6 could be tracked through the computer system." I
7 said, "What if you got my name and whatever, you
8 know, whatever information. Would that help." I
9 said, "How can I get this information?" He said,
10 "Any information that was held at 11th Street
11 Station stored in storage is probably not on the
12 system," so he said to me likely chance of me
13 getting that report or finding anything related to
14 that report are very, very slim.

15 JUDGE RILEY: So without a report number is like
16 a needle in a haystack?

17 MR. GLENN: Correct.

18 JUDGE RILEY: So he wouldn't have it by your
19 name, social security number, or anything like that?

20 MR. GLENN: Exactly. They say that if that
21 police station was still in existence, they might
22 have it filed down in the basement where they keep

1 some things. Since it's been torn down -- and
2 central location's been torn down, it's very
3 unlikely without having that report. No, he said
4 they do keep it on the system on the computer, but
5 without having that, they have no way of tracking
6 it.

7 MR. BRIGIDA: Can I interject one thing here?
8 Again, Mr. Glenn, you explained to me you had to go
9 to court to resolve these issues.

10 MR. GLENN: Correct.

11 MR. BRIGIDA: The Court records will be kept.

12 MR. GLENN: The court record was relating to
13 driving violations.

14 MR. BRIGIDA: That's fine, but that's one --

15 MR. GLENN: That would be my next step. I
16 haven't gotten to the courthouse yet. I'm just
17 telling you what's transpired since I contacted the
18 police department to get the record that way. My
19 next step is to go to the courthouse and see about
20 pulling the file.

21 MR. BRIGIDA: But, again, I think what you want
22 to do with the police department is have a subpoena

1 issued --

2 MR. GLENN: Okay.

3 MR. BRIGIDA: -- and that will -- they'll have

4 to verify whether they do or don't have those

5 documents --

6 MR. GLENN: Okay.

7 MR. BRIGIDA: -- and regardless of whether it's

8 difficult for them to try to find them or not.

9 MR. GLENN: So once I've done that and they come

10 back with the conclusion that it's impossible to

11 get, will you be able to accept that?

12 MR. BRIGIDA: I don't know what you mean by I'll

13 accept that --

14 MR. GLENN: What I'm saying --

15 MR. BRIGIDA: -- but I think that's the minimum

16 you should be doing.

17 MR. GLENN: Okay. My next step is to contact

18 them.

19 JUDGE RILEY: Okay.

20 MR. GLENN: I just want to let you know I'm on

21 top of it trying to get this information together.

22 JUDGE RILEY: Okay. I appreciate that.

1 MR. GLENN: I have sent out a request to the Bank
2 of Jamaica trying to get -- since I was last talking
3 to you, I sent it out Monday, so I'm expecting to
4 hear from them soon.

5 MR. GLENN: Okay. I'll get you this stuff to you
6 by Monday.

7 MR. BRIGIDA: Great.

8 JUDGE RILEY: Gentlemen, thank you very much.

9 (Whereupon, the above
10 matter was adjourned, to
11 be continued May 22, 2003
12 at 10 o'clock a.m.)

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